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8 Attorneys for Defendant SALYER AMERICAN FRESH FOODS

9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA - SAN JOSE DIVISION

11 SCOTT SALYER, individually, and as
12 Trustee of the Scott Salyer Revocable Trust,

13 Plaintiff,

14 vs.

15 SALYER AMERICAN FRESH FOODS,

16 Defendants.

No. C 05-3562 JW (RS)

**STIPULATED REQUEST FOR ORDER
MODIFYING EXPERT DISCLOSURE
DEADLINES IN SCHEDULING ORDER**

Honorable James Ware

17 The undersigned parties hereby stipulate to modify the Scheduling Order entered by the Court
18 on March 15, 2005 as follows:

- 19 1. The date set for expert disclosures set forth at page 2, lines 25-26 setting the date of
20 October 1, 2006 be extended to October 13, 2006;
21 2. The date set as the last day for hearing on motions to exclude experts set forth at page
22 3, lines 6-7 setting the date of November 27, 2006 at 9:00 a.m. be extended to January 22, 2007 at
23 9:00 a.m. to correspond with the last day to file dispositive motions; and,
24 3. The date set for disclosure of rebuttal experts set forth at page 3, lines 11-12 setting the
25 date of October 13, 2006 be extended to October 27, 2006.

26 The undersigned parties agree that good cause exists to modify the expert disclosure deadlines
27 and associated motion deadline based on the fact that plaintiff's lead counsel Brian Maschler was
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1 hospitalized on September 22, 2006.

2 IT IS SO STIPULATED:

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4 DATED: September 28, 2006

GORDON & REES LLP

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6 By /s/
Joy A. Jaeger, Attorneys for Plaintiff

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10 DATED: September 28, 2006

GRUNSKY, EBEL, FARRAR & HOWELL

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12 By /s/
Rebecca Connolly, Attorneys for Defendant
13 Salyer American Fresh Foods

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16 PURSUANT TO STIPULATION, IT IS SO ORDERED.

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19 DATED: 10/02/06


JAMES WARE
UNITED STATES DISTRICT JUDGE

ATTESTATION PURSUANT TO GENERAL ORDER 45

I, Rebecca Connolly, attest that concurrence in the filing of this document has been obtained from each of the other signatories.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 28th day of September, 2006, at Watsonville, California.

By: /s/ Rebecca Connolly